

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 19-M-111

DIANA GORDON,

Defendant.

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UNOPPOSED MOTION FOR LEAVE TO DISMISS COMPLAINT WITHOUT  
PREJUDICE UNDER FED. R. CRIM. P. 48(a)

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The United States of America, by and through its attorneys, Matthew D. Krueger, United States Attorney, and Benjamin Proctor, Assistant United States Attorney, with the agreement of Diana Gordon, by and through her attorney, Patrick Cafferty, hereby moves to dismiss without prejudice the complaint issued against defendant Diana Gordon.

On May 28, 2019, the Court issued a criminal complaint against defendant Diana Gordon. Doc. #1. On June 6, 2019, Diana Gordon made her initial appearance before the Court and was released on conditions. Doc. #6. On June 16, 2019, the parties filed a joint motion requesting an additional 45 days to file an indictment under 18 U.S.C. § 3161(b). Doc. #12. On June 18, 2019, the Court granted that motion. Doc. #13. The parties agree that the new deadline for issuing an indictment August 20, 2019.

Following negotiations, the United States and Diana Gordon reached a deferred prosecution agreement effective August 9, 2019.<sup>1</sup> With that agreement now in effect, the government requests leave of the Court to dismiss without prejudice the criminal complaint against Diana Gordon pursuant to Federal Rule of Criminal Procedure 48(a).

Prior to filing this document, the undersigned Assistant U.S. Attorney conferred with the defendant's attorney, Patrick Cafferty. The defendant's attorney stated that the defendant is in full agreement with the statements made herein.

Dated at Milwaukee, Wisconsin, this 9th day of August, 2019.

Respectfully submitted,

MATTHEW D. KRUEGER  
United States Attorney

By: /s  
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<sup>1</sup> None of this affects the status of Robert Gordon, who was charged by indictment on June 18, 2019, in Case No. 19-CR-115.